

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SUDHEER RAO MOTURI,

Petitioner,

V.

ICE FIELD OFFICE DIRECTOR, et al..

## Respondents.

CASE NO. C19-2023-RSM-BAT

## **ORDER DENYING MOTION TO DISMISS AS MOOT**

This is a 28 U.S.C. § 2241 immigration habeas action. The Government filed a motion to

dismiss on January 20, 2020. Dkt. #9. Subsequently, the Court consolidated this matter with a

later-filed case and granted Petitioner leave to file an amended petition. Dkt. #12. Petitioner

filed his amended petition on April 14, 2020. Dkt. #14. “It is well-established in our circuit that

an amended complaint supersedes the original, the latter being treated thereafter as non-existent.”

*Ramirez v. Cnty. of San Bernardino*, 806 F.3d 1002, 1008 (9th Cir. 2015) (internal quotation and

citation omitted). Because the Government's motion to dismiss targeted petitioner's original

petition, which is no longer in effect, the Court DENIES as moot the Government's motion to

dismiss, Dkt. #9. *See id.* (holding that district court should have denied as moot motion to

dismiss after amended complaint was filed); *Acosta v. Wellfleet Comms., LLC*, No. 16-2353,

1 2017 WL 4079261, at \*2 n.2 (D. Nev. Sept. 14, 2017) (denying as moot motion to dismiss after  
2 granting plaintiff leave to file an amended complaint); *Arevalo v. Castro*, No. 15-407, 2016 WL  
3 7116006, at \*1 (D. Nev. Dec. 6, 2016) (same).

4 DATED this 16<sup>th</sup> day of April, 2020.

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7 RICARDO S. MARTINEZ  
8 CHIEF UNITED STATES DISTRICT JUDGE  
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